

A view from Legislative Counsel embedded within a law reform agency

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Office

My career to date

- Graduated 1991 BA Hons Politics and French
- Law Conversion Course City University 92/93
- Bar Vocational Course 93/94 Inns of Court Law School
- Pupillage and Tenancy Lincoln's Inn 1994 to 1997
- General Criminal and Common Law practice
- Office of the Parliamentary Counsel May 1997 to date
- 2 periods of secondment to the Law Commission
- One secondment to the Government Legal Department
- First Parliamentary Counsel, Office of the

Office of the Parliamentary Counsel (OPC UK)

- Cabinet Office Unit of about 52 drafters & 8 support staff
 - All qualified lawyers (solicitors or barristers)
 - Civil servants, not Parliamentary
 - But close relationships with Parliament, and with House authorities
 - Teams of drafters work with particular departments
- Main functions
 - Legislation (Bills and SI vetting)
 - Leading drafting profession within government
 - Promoting 'good law'
 - Constitutional advice

Functions of the Law Commission: Law Commissions Act 1965 section 3(1)

- to undertake ... the examination of particular branches of the law and the formulation, by means of draft Bills or otherwise, of proposals for reform therein;
- to prepare from time to time at the request of the Minister comprehensive programmes of consolidation and statute law revision, and to undertake the preparation of draft Bills pursuant to any such programme approved by the Minister;

Role of drafters embedded in the Law Commission

- Drafting Bills for reports
- Bringing experience of processes relating to legislation within government
- Making use of networks and relationships with wider Government Legal Profession
- Identifying drafting issues raised by potential proposals, and testing policy more generally
- Helping resolve legislative policy issues
- Contributing to senior management team

Benefits

For the drafter

- Drafting in a less political context
- Realising that you have knowledge and skills that are of benefit outside a drafting office
- Leadership and strategic experience
- On consolidations, really thinking about drafting techniques

For the Law Commission

- Draft Bills
- Policy that should translate well into legislation
- Support with handling relationships with government
- Opportunities to build parliamentary and legislation capability of existing staff
- A different perspective on organisational issues

For the Office of the Parliamentary Counsel

- Easy communication with the Commission
- Draft Bills that meet UK government standards
- Staff who return to OPC with new capabilities and perspectives